

MEMORIAL RESOLUTIONS

H.C.R. 20 - (Brooks): In memory of those who died in the Phillips Petroleum Company accident.

S.R. 76 - By Uribe: In memory of Enriqueta F. Vasquez of Brownsville.

S.R. 78 - By Montford: In memory of Amy Moseley of Slaton.

S.R. 79 - By Montford: In memory of Eldon Gattis of Lubbock.

S.R. 83 - By Truan: In memory of Madelin Joan Olds of Corpus Christi.

S.R. 84 - By Brooks: In memory of Thomas I. Fetzner of Houston.

CONGRATULATORY RESOLUTIONS

H.C.R. 13 - (Brooks): Commending Dr. F. Hermann Rudenberg of Galveston for his contributions to the field of biomedical science and for his efforts in protecting and preserving Texas' endangered coastal resources.

H.C.R. 14 - (Brooks): Commending Captain Leon E. Lewis, Jr., for his many years of outstanding service to the people of Galveston.

H.C.R. 18 - (Barrientos): Commending Texaco Chemical Company and its Austin Research Laboratories.

S.C.R. 17 - By Barrientos: Declaring April 22, 1990, as Earth Day in Texas.

S.R. 73 - By Leedom: Extending congratulations to Floela "Flo" Doucet on her 45th birthday.

S.R. 75 - By Barrientos: Commending Byron Griffin for his dedication to the schoolchildren of Texas.

S.R. 77 - By Dickson: Extending congratulations to Station KXOX on its 50th anniversary.

S.R. 82 - By Truan: Commending Judge William Rapp for his meritorious service and unswerving support and improvement of the judicial system of the great Lone Star State.

RECESS

On motion of Senator Brooks, the Senate at 11:28 a.m. took recess until 2:00 p.m. tomorrow.

THIRD DAY

(Continued)

(Wednesday, November 29, 1989)

AFTER RECESS

The Senate met at 2:00 p.m. and was called to order by the President.

RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate the following enrolled resolutions:

S.C.R. 5

S.C.R. 6

S.C.R. 7
S.C.R. 8
S.C.R. 9
S.C.R. 10
S.C.R. 11
S.C.R. 13

MESSAGE FROM STATE BAR OF TEXAS

The following Message from the State Bar of Texas was read and was referred to the Committee on Nominations:

STATE BAR OF TEXAS

November 30, 1989

Mrs. Betty King
Secretary of the Senate
State of Texas
Capitol Building
Austin, Texas 78701

Dear Mrs. King:

Pursuant to Article V Section 1-a of the Constitution of the State of Texas, the Board of Directors of the State Bar of Texas at a regular meeting held October 27, 1989, duly appointed the following qualified member of the State Bar of Texas to serve as a member of the Judicial Conduct Commission:

Mr. Charles R. "Bob" Dunn
2600 American Tower
2929 Allen Parkway
Houston, Texas 77019

This nomination is being submitted to you for the required action in securing formal Senate confirmation of the appointment.

Very truly yours,

/s/Darrell Jordan
Darrell Jordan

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas
November 29, 1989

**TO THE SENATE OF THE SEVENTY-FIRST LEGISLATURE,
SECOND CALLED SESSION:**

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

**TO BE A MEMBER OF THE LAMAR UNIVERSITY SYSTEM BOARD OF
REGENTS for a term to expire October 4, 1991:**

DOUGLAS WAYNE MATTHEWS
19 South Shore Drive
Galveston, Texas 77551

Mr. Matthews will be filling the unexpired term of Otho Plummer of Beaumont who is deceased.

Respectfully submitted,
/s/W. P. Clements, Jr.
William P. Clements, Jr.
Governor of Texas

MESSAGE FROM THE HOUSE

House Chamber
November 29, 1989

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.C.R. 24, Commending Texaco Chemical Company and its Conroe Chemical Plant.

H.C.R. 25, Congratulating the United States Coast Guard.

H.C.R. 26, In memory of the 21 students who lost their lives in the tragic bus accident in Alton, Texas.

H.C.R. 28, In memory of former Congressman James Collins.

H.C.R. 31, Honoring Hank Thompson.

S.C.R. 14, Commending Austin Research Laboratories.

S.C.R. 15, In memory of Paul Earl Yarbrough.

Respectfully,
BETTY MURRAY, Chief Clerk
House of Representatives

GUESTS PRESENTED

Senator Glasgow was recognized to introduce Hank Thompson.

The President requested Mr. Thompson be escorted to the Podium. Mr. Thompson introduced his wife, Ann, and expressed his pleasure to be honored by the Senate.

The President presented an enrolled copy of S.R. 65, adopted by the Senate on November 21, 1989, to Mr. Thompson.

GUESTS PRESENTED

Senator Brooks was recognized and presented Dr. Warren Longmire of Hitchcock and John Williamson, a medical student at UTMB, of Galveston.

The Senate welcomed Dr. Longmire and Mr. Williamson, participants in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians, and expressed appreciation for their contributions today.

SENATE RULE 14.01 SUSPENDED

On motion of Senator Edwards and by unanimous consent, Senate Rule 14.01 was suspended in order that the Committee on Nominations might consider today the nominations of Mr. Douglas Wayne Matthews, to be a Member of the Lamar

University Board of Regents and Mr. Charles R. "Bob" Dunn, to be a Member of the State Commission on Judicial Conduct.

SENATE RULE 11.11 SUSPENDED

On motion of Senator Edwards and by unanimous consent, Senate Rule 11.11 was suspended in order that the Committee on Nominations might meet immediately upon recess today.

NOTICE OF CONSIDERATION OF NOMINATIONS

Senator Edwards gave notice that he would, at the conclusion of Morning Call on Friday, December 1, 1989, submit to the Senate for consideration nominations to agencies, boards and commissions of the State.

RECESS

On motion of Senator Brooks, the Senate at 2:18 p.m. took recess until 5:00 p.m. today.

AFTER RECESS

The Senate met at 5:00 p.m. and was called to order by the President.

MESSAGE FROM THE HOUSE

House Chamber
November 29, 1989

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

S.B. 1, Relating to the reform of the workers' compensation system; to the creation, powers and duties of the Texas Workers' Compensation Commission; and to work safety; establishing the Texas Workers' Compensation Research Center; making appropriations; providing criminal and administrative penalties; and providing for taxes and fees. (As substituted and amended)

H.C.R. 32, Congratulating the Tascosa High School volleyball team.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

REPORT OF STANDING COMMITTEE

By unanimous consent, Senator Edwards submitted the following report for the Committee on Nominations:

We, your Committee on Nominations, to which were referred the attached appointments, have had same under consideration, and report them back to the Senate for final consideration.

To be a Member of the HIGHER EDUCATION COORDINATING BOARD:
Herbert L. Butrum, Harris County.

To be Members of the BOARD OF REGENTS, WEST TEXAS STATE UNIVERSITY: Mrs. Nona Lee Barnett, Potter County; John Chandler, Potter County; Mrs. Hazel Duniven Kelley Wilson, Armstrong County.

To be Members of the BOARD OF REGENTS, UNIVERSITY OF HOUSTON: John T. Cater, Harris County; Ms. Elizabeth Lyons Ghrist, Harris County; Vidal G. Martinez, Harris County.

To be Members of the BOARD OF REGENTS, LAMAR UNIVERSITY SYSTEM: Carroll W. Conn, Jr., Jefferson County; Dr. E. Linn Draper, Jr., Jefferson County; Thomas Milner Maes II, Jefferson County; Douglas Wayne Matthews, Galveston County.

To be a Member of the BOARD OF REGENTS, TEXAS STATE UNIVERSITY SYSTEM: Daniel S. Ouellette, Bee County.

To be Members of the BOARD OF REGENTS, UNIVERSITY OF NORTH TEXAS: Mrs. Nancy Strauss Halbreich, Dallas County; Joe Kirven, Dallas County; E. L. "Buddy" Langley, Dallas County.

To be a Member of the BOARD OF REGENTS, STEPHEN F. AUSTIN STATE UNIVERSITY: Wayne Francis Salvant, Tarrant County.

To be Members of the BOARD OF REGENTS, TEXAS SOUTHERN UNIVERSITY: Odysseus M. Lanier, Harris County; Carroll W. Phillips, Harris County.

To be Members of the COLLEGE OPPORTUNITY ACT COMMITTEE: Ms. Linda Perryman, Dallas County; W. Ted Shaw, Dallas County.

To be a Member of the SCHOOL LAND BOARD: Gaylord T. Hughey, Jr., Smith County.

To be a Member of the BOARD OF REGENTS, TEXAS STATE TECHNICAL INSTITUTE: Jere J. Ruff, Gregg County.

To be Members of the LOWER NECHES VALLEY AUTHORITY: R. C. "Bobby" Aldrich, Jefferson County; Thad Heartfield, Jefferson County; Dr. William S. Nichols, Jr., Tyler County.

To be Members of the TEXAS HEALTH AND HUMAN SERVICES COORDINATING COUNCIL: Mrs. Anne Ashy Shepard, Cameron County; Mrs. Polly Key Sowell, Travis County.

To be a Member of the HOME HEALTH SERVICES ADVISORY COUNCIL: Ms. Mary Charles Steele Suther, Dallas County.

To be a Member of the TEXAS STATE LIBRARY AND ARCHIVES COMMISSION: James H. Banks, Travis County.

To be a Member of the FAMILY PRACTICE RESIDENCY ADVISORY COMMITTEE: Mrs. Georgia Hawks Swift, Potter County.

To be a Member of the FIRE DEPARTMENT EMERGENCY BOARD: Don Comedy, Haskell County.

To be FIREMEN'S PENSION COMMISSIONER: Commissioner Helen Campbell, Travis County.

To be Members of the COMMISSION ON FIRE PROTECTION PERSONNEL STANDARDS AND EDUCATION: Chief James L. Roberts, Midland County; Chief Otto C. Schattel, Harrison County; Wayne C. Sibley, Ellis County.

To be Members of the POLYGRAPH EXAMINERS BOARD: Ernie Hulsey, Harris County; Horacio Ortiz, Nueces County.

To be a Member of the TEXAS STATE BOARD OF PODIATRY EXAMINERS: Rick D. Sorrells, Dallas County.

To be a Member of the REAL ESTATE RESEARCH ADVISORY COMMITTEE: Don R. Ellis, Val Verde County.

To be a Member of the TEXAS BOARD OF LAND SURVEYING: Herman Hays Forbes, Williamson County.

To be a Member of the TEXAS DIABETES COUNCIL: Mrs. Michelle C. Cross, Travis County.

To be a Member of the TEXAS BOARD OF EXAMINERS OF DIETITIANS: Mrs. Pattye Greer, Nacogdoches County.

To be a Member of the EGG MARKETING ADVISORY BOARD: Hobert H. Joe, Harris County.

To be a Member of the TEXAS BOARD OF IRRIGATORS: Joe H. Key, Travis County.

To be a Member of the TEXAS WATER WELL DRILLERS BOARD: Frank Rosenkranz, Jr., Bexar County.

To be a Member of the SAN JACINTO HISTORICAL ADVISORY BOARD: Joel Moore Nash, Harris County.

To be JUDGE OF THE 370th JUDICIAL DISTRICT COURT, HIDALGO COUNTY: Donald W. Allee, Hidalgo County.

To be PRESIDING JUDGE OF THE 9TH ADMINISTRATIVE JUDICIAL REGION: Judge Ray D. Anderson, Terry County.

To be JUDGE OF THE 369TH JUDICIAL DISTRICT COURT, ANDERSON AND CHEROKEE COUNTIES: Judge Bascom William Bentley III, Anderson County.

To be JUDGE OF THE 58TH JUDICIAL DISTRICT COURT, JEFFERSON COUNTY: Magistrate John Michael Bradford, Jefferson County.

To be JUDGE OF THE 234TH JUDICIAL DISTRICT COURT, HARRIS COUNTY: Scott A. Brister, Harris County.

To be JUDGE OF THE 368TH JUDICIAL DISTRICT COURT, WILLIAMSON COUNTY: Alfred Burton Carnes, Williamson County.

To be JUDGE OF THE 377TH JUDICIAL DISTRICT COURT, VICTORIA COUNTY: Robert C. Cheshire, Victoria County.

To be PRESIDING JUDGE OF THE FOURTH ADMINISTRATIVE JUDICIAL REGION: Judge John Cornyn III, Bexar County.

To be JUDGE OF THE 367TH JUDICIAL DISTRICT COURT, DENTON COUNTY: Mrs. E. Lee Gabriel, Denton County.

To be CHIEF JUSTICE OF THE TWELFTH COURT OF APPEALS: Tom B. Ramey, Jr., Smith County.

To be JUDGE OF THE 162ND JUDICIAL DISTRICT COURT, DALLAS COUNTY: Bill Rhea, Dallas County.

To be JUDGE OF THE 365TH JUDICIAL DISTRICT COURT, DIMMIT, MAVERICK AND ZAVALA COUNTIES: Eugene David Stewart, Dimmit County.

To be JUDGE OF THE 364TH JUDICIAL DISTRICT COURT, LUBBOCK COUNTY: Judge Bradley Steven Underwood, Lubbock County.

To be CHIEF JUSTICE OF THE NINTH SUPREME JUDICIAL DISTRICT COURT OF APPEALS: Judge Ronald L. Walker, Jefferson County.

To be JUDGE OF THE 366TH JUDICIAL DISTRICT COURT, COLLIN COUNTY: Nathan E. White, Jr., Collin County.

To be DISTRICT ATTORNEY OF THE 50TH JUDICIAL DISTRICT, BAYLOR, COTTLE, KING AND KNOX COUNTIES: Bobby D. Burnett, Knox County.

To be CRIMINAL DISTRICT ATTORNEY OF AUSTIN COUNTY: Travis J. Koehn, Austin County.

To be BRANCH PILOTS FOR THE GALVESTON BAR AND THE HOUSTON SHIP CHANNEL: Captain Paul G. Brown, Harris County; Captain Daniel J. Doty, Harris County; Captain Randy L. Rhoads, Galveston County; Captain Robert L. Thompson, Harris County.

To be BRANCH PILOT FOR THE PORTS OF GALVESTON COUNTY: Captain Charles R. Branch, Galveston County.

To be Members of the PILOT COMMISSION FOR THE SABINE BAR, PASS AND TRIBUTARIES: Kent M. Adams, Jefferson County; J. Lynn Harden, Jefferson County; William G. McNinch, Jefferson County.

To be BRANCH PILOTS FOR THE SABINE BAR, PASS AND TRIBUTARIES: Captain T. R. Morgan, Jefferson County; Captain H. E. Weaver, Jefferson County; Captain Robert H. Welch, Jefferson County.

To be Members of the STATE COMMISSION ON JUDICIAL CONDUCT: Justice Bill Bass, Smith County; Charles R. "Bob" Dunn, Harris County; Judge Hilda G. Tagle, Nueces County.

MEMORIAL RESOLUTION

S.R. 91 - By Uribe: In memory of Ruben M. Torres.

CONGRATULATORY RESOLUTIONS

H.C.R. 15 - (Leedom): Proclaiming the week of January 21-27, 1990, to be "Kiwanis Week" in Texas.

H.C.R. 16 - (Lyon): Commending Donna Vinson on her exceptional actions in saving the life of Joe Brantley.

H.C.R. 19 - (Caperton): Designating Columbus, Texas, as the Official 1992 Quincentennial Town of Texas for the national celebration of the 500th anniversary of Columbus's discovery of the New World.

H.C.R. 21 - (Washington): Extending congratulations to the Reverend Rozell Harmon, associate pastor of Christian Faith Missionary Baptist Church in Houston, on his 66th birthday.

H.C.R. 24 - (Haley): Commending Texaco Chemical Company and its Conroe Chemical Plant for attaining the status of an OSHA STAR work site.

H.C.R. 31 - (Glasgow): Honoring Hank Thompson for his accomplishments in the field of country music and congratulating him on his recent election to the Country Music Hall of Fame.

H.C.R. 32 - (Bivins): Extending congratulations to Tascosa High School volleyball team.

S.R. 85 - By Bivins: Extending congratulations to the Dumas High School Volleyball Team for winning their second straight 4A State Championship.

S.R. 86 - By Brooks: Extending congratulations to Luther Louis Hering on his 102nd birthday.

S.R. 87 - By Brown: Commending the leadership evinced by Winfree L. Brown in her efforts on behalf of the Republican Party for 25 years.

S.R. 88 - By Brown: Extending thanks to Ruth Fox for her service and dedication to her role as president of the Texas Federation of Republican Women.

S.R. 89 - By Carriker: Commending the Spur PHC (Public Health Care) Clinic on its contributions to rural health care in West Texas.

ADJOURNMENT

On motion of Senator Brooks, the Senate at 5:10 p.m. adjourned until 9:00 a.m. Friday, December 1, 1989.

**In Memory
of
James S. Bates, Sr.**

Senator Uribe offered the following resolution:

(Senate Resolution 90)

WHEREAS, The Senate of the State of Texas joins with the citizens of the Rio Grande Valley and the entire state in mourning the tragic loss of former Senate member and prominent attorney James S. Bates, Sr., of Edinburg who died November 21, 1989; and

WHEREAS, This remarkable individual served his state with distinction and honor during his long and eminent career as a public servant; and

WHEREAS, Born in Waelder, Texas, he had lived in the Rio Grande Valley where he was practicing law at the time of his death; and

WHEREAS, The varied and notable achievements of this distinguished gentleman in state and county government and in his private law practice have contributed greatly to the development of his state and region; and

WHEREAS, A dedicated attorney, he served with diligence and ability as Hidalgo County District Attorney from 1955 to 1958; and

WHEREAS, Elected to the Texas House of Representatives in 1953 and again in 1959, he continued to serve the people of his district with the same regard for honesty and integrity; and

WHEREAS, Vitally interested in the welfare of his constituents, he earned their confidence again when he was elected to the Texas Senate in 1961, where he served until 1972; and

WHEREAS, His hard work and dedication in the performance of his duties earned the respect and friendship of those with whom he was associated; and

WHEREAS, It is appropriate that the Texas Senate honor the memory of Senator James S. Bates on the sad occasion of his untimely death; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 71st Legislature, 2nd Called Session, hereby express its deepest sympathy to the bereaved family members: his mother, Frankie Davis Bates; his son, Jim Bates, Jr.; his daughters, Barbara Ann Bates and Laura Lou Pena; his brothers, Frank, Gene, and Billy Bob Bates; his sister, Helen McMillian; and his three grandchildren; and, be it further

RESOLVED, That copies of this Resolution be prepared for those held dear by Senator James S. Bates, Sr., as an expression of the esteem and high regard for him of the Texas Senate, and that when the Senate adjourns this day, it do so in his memory.

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Uribe and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.